

**VILLAGE OF BARRINGTON HILLS  
PLAN COMMISSION MEETING  
MARCH 14, 2005**

The regular meeting of the Village of Barrington Hills Plan Commission was called to order at 7:35 p.m. by Chairman Wolfgram.

Commission Members Present:      Kenneth Bosworth  
   Patrick Hennelly  
   Lou Anne Majewski  
   Thomas McGrath  
   James O'Donnell  
   Michael Schmechtig  
   David M. Stieper  
   Daniel Wolfgram, Chairman

Absent:            Peter Grande

The Attendance Sheet is attached and made part of these Minutes.

**PREVIOUS MINUTES:** Commissioner O'Donnell made the motion, seconded by Commissioner Schmechtig, to approve the February 14<sup>th</sup> Minutes. Commissioner Stieper asked that a correction be made on Page 3, 1<sup>st</sup> paragraph, indicating that he voted nay to the motion. Commissioner Hennelly asked for more clarification regarding the annexation and rezoning. The following was therefore recommended to be added to the 4<sup>th</sup> paragraph on Page 2: "The existing McHenry County zoning of the property is agricultural and upon annexation would be placed in the R-1 (five acre), R-3 (two acre) and R-4 (one acre) zoning districts of the Village. Upon questioning, Mr. Kosin could not recall any similar change of zoning upon annexation to a density greater than that which it is in the County." Two additional corrections on Page 3 were to add "Resident" before "Richard Lamkey" in the 2<sup>nd</sup> sentence in the 4<sup>th</sup> paragraph and delete "of the Barrington Countryside Park District" from that same sentence. Also, add "and non-equestrian" to the 1<sup>st</sup> sentence of the 5<sup>th</sup> paragraph between "equestrian" and "community." Approval of the corrected Minutes was unanimous by voice vote.

**SUBDIVISION ORDINANCE AMENDMENT – EQUESTRIAN TRAILS:** In view of the numerous items on the Agenda, the Commission agreed to Chairman Wolfgram's suggestion that this consideration be deferred to a separate meeting to be held on April 13<sup>th</sup>.

**VON PAULOS PROPERTY / OTIS ROAD – PREAPPLICATION CONFERENCE:**

Thomas Hayward, Jr., attorney for the owners Mr. and Mrs. Von Paulos, came before the Commission to discuss a proposal to subdivide 22+ acres which currently includes the Von Paulos home that is located at 300 W. Otis Road. When subdivided, a prospective buyer wants to purchase both lots, with plans to move into the existing home and sell the other lot. Mr. Hayward said that the Van Paulos's would still own an additional 10.5 acres which fronts Otis Road that is not being platted at this time.

The existing driveway off Otis Road, consisting of three-quarters of an acre, would all be part of Lot 1 with an easement established for Lot 2's access. There would be a declaration of maintenance for this driveway between both owners of Lots 1 and 2.

Because a substantially sized home already exists on Lot 2, Mr. Hayward expressed hope that the Village Engineer would not require a topographic plan for that lot. Village Engineer Todd Gordon said contours would be examined, but pointed out that an important issue that would have to be addressed would be that of drainage through the properties. Mr. Hayward said their land surveyor would provide that information.

Though Mr. Hayward thought there were no equestrian trails on this property, a representative of the Riding Club said there were trails on the north and west boundary. Mr. Hayward said that they would then plan to keep those in place and show them on the plat.

There were no further questions from either the Commissioners or anyone in the audience.

**PALOMA POINTE SUBDIVISION / FINAL PLAT:** Robert Walker, Project Manager for Engineering Enterprises, Inc, came before the Commission for approval of the final plat for this 34.5 acre parcel located at the northeast corner of Braeburn and Spring Creek Roads. The parcel consists of 39-1/2 acres proposed to be subdivided into 6 lots with an average lot area of 5.75 acres.

Mr. Walker presented a display containing grading and drainage. There is a local depression with an existing wetland in the northwest portion into which a majority of the property drains. Drainage also occurs to the southeast, ultimately draining underneath the road through a culvert. (Bob, here there was some mention of it being in a right-of-way thru the neighbor's property.) He was proposing two detention basins, using infiltration through wetland grasses to minimize release from the property, as well as 10 foot dry wells to provide vertical drainage.

Commissioner Hennelly expressed concern about drainage coming into this parcel from the west. Village Engineer Todd Gordon replied that any development to the west of this subdivision will have to meet the requirements of the McHenry County Stormwater Management Ordinance.

Commissioner Bosworth said he was concerned about contamination of ground water if stormwater should enter the dry wells without being filtered. Mr. Walker replied that it would get filtered through the grass. Mr. Gordon agreed that this is accepted protection from contaminating the groundwater. He also said that the construction of this dry well with perforated tiles is similar in design and purpose as used in previous subdivisions.

Commissioner Bosworth said that the Water Resources Committee of which he is a member would be opposed to any such structure that could accidentally or intentionally be contaminated. He also was opposed to them as he thought they could not be adequately monitored or supervised.

When asked if this area could be satisfactorily drained without the wells, Mr. Gordon acknowledged that it was a topic debated for several weeks, with his ultimately believing that the wells would give the assurance to meet infiltration perimeters. Mr. Walker said they could reconsider this approach.

When questioned about landscaping, Mr. Walker said it would be done on a lot-by-lot basis. All trees along the western boundary will remain so as to protect the existing treeline.

Mr. Gordon made reference to his March 10<sup>th</sup> letter containing engineering and surveying items that would have to be satisfactorily addressed prior to approval consideration of the Board. Mr. Walker said they were in the process of addressing those issues.

Special Counsel Gerald Callaghan said the required changes to the CCR's and easements have been made. He said there was still an inconsistency in equestrian trail terminology. Mr. Walker said all references on the new plat would be that of "equestrian path."

When Robert Kosin was asked for his opinion on how to address the drainage issue, he replied that this is consistent with the best management practice. Therefore, it would be inappropriate to substitute our judgment over the present set of regulations, to which even the Board must adhere. The matter must then move forward.

**Motion:** Commissioner Bosworth made the motion, seconded by Commissioner Stieper, to approve the final plat for the Paloma Pointe Subdivision with the following conditions: (1) Developer comply with the requirements in the Village Engineer's March 10<sup>th</sup> letter; (2) Developer and Village Engineer consult with the BACOG in regards to the proposal for dry well; and (3) Verification of an easement for the stormwater drainage appropriate for the proposed culvert along Spring Creek Road. Motion carried unanimously by voice vote.

**MC GAUGHLIN SUBDIVISION (MINOR) / SKETCH PLAN:** Natalie Karney from Land Technology appeared before the Commission seeking approval of the sketch plan

for this proposal, which involves the division of one parcel into two along with the creation of an easement of access. The parcel is located on the west side of Old Sutton Road, south of Dundee Road (State Route 68). There is an existing house on the eastern lot (Lot 1). Ms. Karney reviewed the plan, which includes a theoretical home site on Lot 2 and the drainage pattern around it. Village Engineer Todd Gordon pointed out that any stormwater issues need not be addressed until final plat consideration.

A review letter dated March 10<sup>th</sup> from Village Engineer Daniel Strahan to Plan Chairman Wolfgram indicated that the proposal was feasible with regards to stormwater drainage, stormwater management, site access and land use. However, it was not evident that both lots are at least 5 acres and Mr. Strahan has notified Land Technology of the need for verification. Ms. Karney said they were currently examining plats to the south and north to verify that this property does, in fact, consist of two 5-acre lots.

An equestrian trail transverses the property from Old Sutton Road in the east to the Forest Preserves in the west. Ms. Karney said the owner would not object to the assignment of easements for these trails on the plat, but is considering changing its location to go around the northern and western boundary of Lot 1, then connecting up to the trail as it exists on Lot 2.

When questioned about tree preservation, Ms. Karney said the driveway could be meandered if need be to save any large trees.

Resident Ken Kedzierski, who lives just north of the proposed driveway, expressed concerns about tree removal and increased drainage with the grading of a new driveway. Ms. Karney said stormwater should continue draining to the west as it currently does. The owner, Martin McGaughlin, added that the driveway needed to be located to the north because there were already two within close proximity of the southern border. Other residents Shirley Mitchell and Tom Herzau also spoke of their concern of increased runoff onto their properties.

Due to lack of documentation, consideration of sketch plan approval was postponed until the April 11<sup>th</sup> Plan Commission meeting.

**COUNTRY CREEK SUBDIVISION / SKETCH PLAN:** Mark Janek from Circle Land Company's Land Development and Zoning, came before the Commission for consideration of this proposal's sketch plan. It consists of 150 acres located at the northeast corner of Haeger's Bend and Chapel Road in unincorporated McHenry County. It to be subdivided into 48 single family lots, ranging in size from 1.7 to 5.5 acres with the average lot size of approximately 2.85 acres. He had been before the Commission February 14<sup>th</sup>, presenting two plans for consideration. The one now being discussed is a revision of Plan B, which includes 5-acre lots on the southern and western borders and three access roads, two off Chapel Hill Road and one off Haeger's Bend.

Mr. Janek advised that a base flood elevation determination had been done on the creek which goes through the middle of this sight. He identified three wetlands on the property and also said that most vegetation along the perimeter would not be removed so as to provide screening from the roadway. Some preliminary study has been done relative to drainage, but no engineering details are available yet. He did say, however, that they plan to have several small detention basins that will be part of some lots.

Mr. Janek said that the owner probably would build on a few lots and sell the rest and that it would most likely be done in four natural phases starting with the lots in the southwest section.

When questioned about the current zoning status, Mr. Kosin advised that it would be a concurrent filing... Zoning Board of Appeal's recommendation should be reached at the time of the Plan Commission's review of the preliminary plat. The annexation agreement would be considered by the Village Board. Special Counsel Gerald Callaghan added that the statutes specifically provide that all hearings are to be held prior to an annexation consideration and that the owner will want the preliminary plat approved before proceeding with annexation. Once it is annexed, the Board can then rezone the property and approve the subdivision plat. He reminded the Plan Commission that this is just sketch plan and that they have to make the assumption that the ZBA will recommend the zoning.

Village Engineer Todd Gordon reviewed his March 10<sup>th</sup> letter to Chairman Wolfram in which he stated that based on current information he thought the plan to be feasible. Because the property is in unincorporated McHenry County, all stormwater management issues would have to be approved by the County. Access and engineering issues would be addressed at preliminary. Though no percolation tests have been made, Mr. Gordon did say that according to the analysis of the applicant's soil scientist the soil would be suitable for septic.

Resident Dr. Anne Majewski expressed her concerns about adequate filtration and drainage of stormwater onto her property to the south of this subdivision. She asked Mr. Janek to check on the existence of drain tiles in that area. Mr. Janek said that most likely there are some, and added that regulations do not allow increased release from the site. Resident Gerald Beaty also was concerned about the drainage issues.

Emily McHugh asked about the proposed equestrian easements. Mr. Janek said trails currently exist along the eastern and northern border and thought this could be extended to the entire perimeter.

**Motion:** Commissioner Hennelly made the motion, seconded by Commissioner McGrath, to recommend approval of the Country Creek Subdivision's sketch plan. Motion carried by voice vote. (Commissioner Majewski recused herself from the vote.)

**TRUSTEE'S REPORT:** No report.

There being no further business, the meeting was adjourned at 9:50 p.m. after being so moved and seconded.

Respectfully submitted,

Lou Anne Majewski  
Recording Secretary